

## **MINUTES OF REGULAR MEETING HELD MARCH 27, 2018**

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, March 27, 2018 at 8:00 p.m.

Mayor Brindle made the following announcements:

“Prior to convening in regular session, there was an agenda session which was open to public and advertised.”

“The adequate notice of this meeting, as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 12, 2017. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, THE STAR LEDGER, and TAP INTO WESTFIELD and filed with the Clerk of the Town of Westfield.”

**PRESENT:** Mayor Brindle, Council Members Habgood, Arena, Dardia, Neylan, LoGrippo, Contract, Stokes, Mackey

**ABSENT:** None

### **INVOCATION AND FLAG SALUTE**

Invocation was given by Councilman Dardia followed by the flag salute.

### **PRESENTATIONS**

Mayor Brindle presented the following Proclamation:

**Town of Westfield**  
**Westfield, New Jersey**  
**PROCLAMATION**  
***Court Appointed Special Advocates (CASA) of Union County Day***  
***March 30, 2018***

**WHEREAS**, the Town of Westfield recognizes that child abuse and neglect is a real and heartbreaking problem in today’s society, and the Town is committed to helping the innocent victims; and

**WHEREAS**, Court Appointed Special Advocates (CASA) of Union County recruits, trains, supports and supervises community volunteers as advocates for children who have been removed from their homes due to neglect or abuse; and

**WHEREAS**, CASA volunteers ensure children’s best interests remain the priority while working towards establishing a safe, stable and permanent home for each child served; and

**WHEREAS**, CASA has a record of public service protecting the safety and well-being of Union County's foster children, defending them from harm, and ensuring they are provided with the court-ordered services that they need; and

**WHEREAS**, CASA establishes and maintains effective relationships with the family court, the Division of Child Protection and Permanency (DCPP), Child Placement Review Board, Office of the Public Defender, Legal Aid, and other child serving agencies/institutions in order to create a cooperative environment to best meet the needs of each child served; and

**WHEREAS**, March 30, 2018 marks the thirteenth anniversary of CASA in Union County;

**NOW, THEREFORE, BE IT PROCLAIMED** that I, Mayor Michelle W. Brindle, on behalf of the Town Council, do hereby designate March 30, 2018 as *Court Appointed Special Advocate of Union County Day* in the Town of Westfield.

**BE IT FURTHER PROCLAIMED** that I hereby urge my fellow residents to become aware of the great work and mission of CASA of Union County and I hereby thank the CASA volunteers who provide a much-needed voice for the children in foster care.

Mayor Brindle presented the following Proclamation:

**Town of Westfield**  
**Westfield, New Jersey**  
**PROCLAMATION**  
***Westfield Volunteer Rescue Squad***

**WHEREAS**, each year residents and visitors to our community may require emergency medical care and transportation; and

**WHEREAS**, the Westfield Volunteer Rescue Squad is a wholly volunteer emergency medical service on duty 24 hours a day, 7 days a week; and

**WHEREAS**, the Westfield Volunteer Rescue Squad has provided no-fee emergency medical care and transportation to the residents and visitors of the Town of Westfield for the past 67 years; and

**WHEREAS**, the Westfield Volunteer Rescue Squad depends entirely upon donations to fund its operations; and

**WHEREAS**, the members of the Westfield Volunteer Rescue Squad are certified volunteer emergency medical technicians who generously donate their time and their skills to provide for the physical well-being of the community and its residents; and

**WHEREAS**, during the year 2017, the members of the Westfield Volunteer Rescue Squad volunteered over 30,000 hours of service and answered 2,181 calls, giving selflessly of themselves for the well-being of others; and

**WHEREAS**, the Town of Westfield benefits each and every day from the knowledge, skills and efforts of the members of the Westfield Volunteer Rescue Squad;

**NOW, THEREFORE, BE IT PROCLAIMED** that I, Mayor Michelle W. Brindle, on behalf of the Town Council and the entire Westfield community, do hereby express gratitude to the Westfield Volunteer Rescue Squad and its dedicated volunteers. **FURTHER**, I do hereby encourage the residents of the Town of Westfield to show their support for this vital service organization during the Rescue Squad's annual fundraising drive.

Mayor Brindle presented the following Proclamation:

**Town of Westfield**  
**Westfield, New Jersey**  
**PROCLAMATION**  
***Parkinson's Awareness Month***

**WHEREAS**, Parkinson's disease is the second most common neurodegenerative brain disorder in the United States with symptoms that vary person to person and may include tremors; difficulty with balance, swallowing, chewing, and speaking; slowness of movement and rigidity; cognitive impairment and dementia; mood disorders; skin problems; and sleep difficulties; and

**WHEREAS**, Parkinson's disease is estimated to affect approximately 1 million people in the United States alone and the prevalence will more than double by 2040; and

**WHEREAS**, Parkinson's disease is the 14<sup>th</sup> leading cause of death in the United States according to the Centers for Disease Control and Prevention; and

**WHEREAS**, research suggests the cause of Parkinson's disease is a combination of genetic and environmental factors, but the exact cause and progression of the disease is still unknown and there is no objective test or biomarker for the disease; and

**WHEREAS**, there is currently no cure, therapy or drug to slow or halt the progression of the disease; and

**WHEREAS**, Parkinson's disease affects not only the Parkinson's patient, but the patient's loved ones and caregivers; and

**WHEREAS**, it is estimated that the economic burden of Parkinson's disease is at least \$14.4 billion annually, including indirect costs to patients and family members of \$6.3 billion; and

**WHEREAS**, volunteers, researchers, caregivers, and medical professionals are working to improve the quality of life for persons living with Parkinson's disease and their families; and

**WHEREAS**, increased education and research are desperately needed to find more effective and lasting treatments and, ultimately, a cure for this debilitating disease;

**NOW, THEREFORE, BE IT PROCLAIMED** that I, Mayor Michelle W. Brindle, on behalf of the Town Council and in recognition of the need to bring awareness to the plight of Parkinson's patients and their families, do hereby designate the month of April in the year 2018 as *Parkinson's Awareness Month* in the Town of Westfield.

**BE IT FURTHER PROCLAIMED** that I hereby encourage my fellow residents to visit the Parkinson's Disease Foundation website at [www.pdf.org](http://www.pdf.org) for more information about the disease and how you can help.

Mayor's Remarks

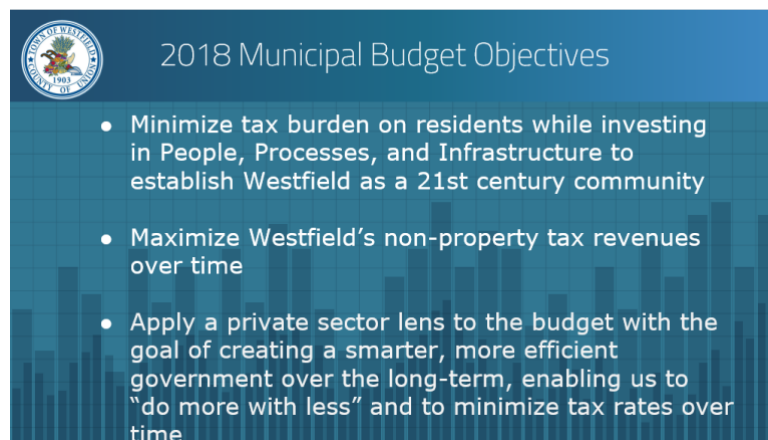
- Thanked the Department of Public Works for their response after last week's storm. Also thanked the residents for adhering to the parking ordinance and removing cars, which allowed DPW to plow more effectively. Stated that only approximately sixty (60) summons were issued and feels this is a good number for a town of Westfield's size;
- Commended the Police Department for its efforts managing the crowd during the March for Our Lives event. Stated that the march attracted over 4,000 people on Saturday, and the Police Department helped to create a safe and positive environment for all in attendance. Also commended Westfield High School students Katie Clark, Emily Jane Bloomfield, Linzy Rosen, Will Rackear, David Sherwood and Briana Brown for their leadership in organizing the event;
- Extend thanks to the Washington Elementary School Cub Scouts from Pack 270 for visiting Town Hall;
- Announced that the newly formed Special and Adaptive Needs Committee had its first meeting to discuss its mission, identify opportunities, and make recommendations to ensure that Westfield is inclusive and welcome to all;
- Announced that a Town Hall High School Internship Program has been established. The first meeting was held on March 26, 2018 and included forty-eight (48) students. Students would be charged with supporting various department heads and Town committees, including Technology, Media Council, Green Team events and Historic Preservation. Extended thanks to Karna Gerich Cestero, Lisa Wallach Mandelblatt, Adrienne Manahan and Westfield High School's Director of Counseling Services, Maureen Mazzaresse-Lantis, for leading the initiative;
- Discussed her attendance at a Raritan Valley Rail Coalition meeting held on March 26, 2018 in which she was updated on prospective funding for peak one-seat ride for the Raritan Valley line. Announced that there is a meeting with NJ Transit next week where the Town would have an opportunity to present its agenda with the new administration, which includes the equitable allocation of peak one-seat ride relative to other lines;
- Discussed a meeting she attended with the Town Administrator and Union County officials to discuss opportunities in which the Town and the County could work together to identify how Westfield could get more value from the County, relative to taxes paid. Topics that were discussed included available grants, roads, paving, parks, fields, social

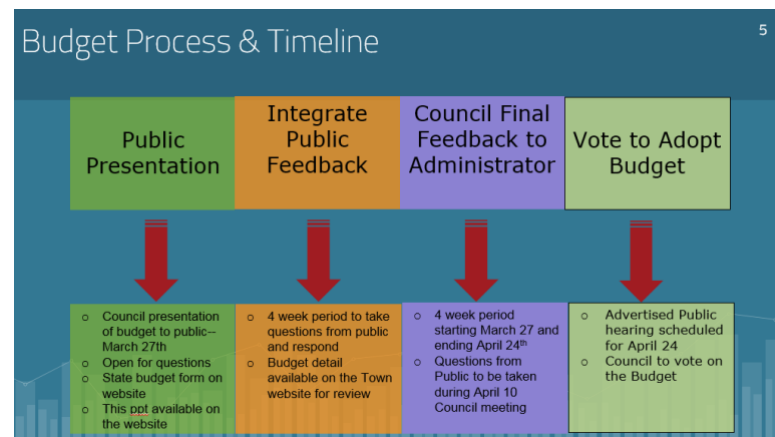
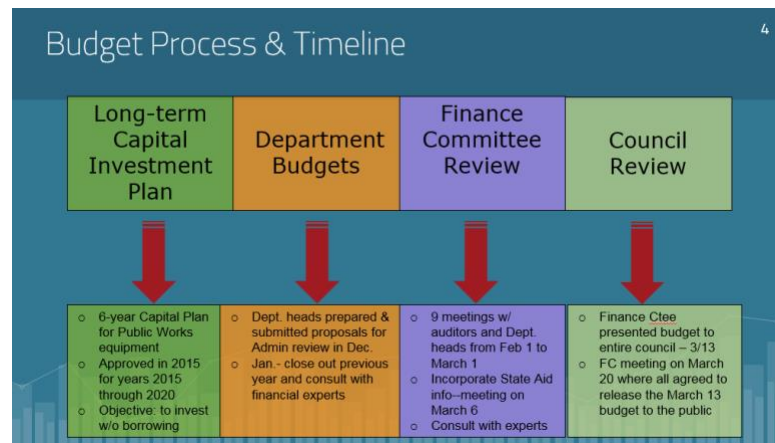
services and more. Explained that follow up concerning many of this topics is needed and that she would continue to keep residents updated on County initiatives;

- Discussed proclamations and the 2018 Municipal Budget that would be presented during tonight's meeting;
- Discussed ordinances to be introduced by Councilwoman Mackey, the first involves a ban on retail pet stores in Westfield from selling animals from "puppy mills". If approved, Westfield would be joining over one hundred (100) other towns that have implemented a similar ban. The second ordinance is related to limiting short-term rental of properties in Town;
- Stated that she is pleased with the large turnout of residents in attendance this evening for the 2018 Municipal Budget presentation. Explained that she would be presenting the budget with Councilwoman Habgood and the Town Administrator. Also mentioned that the full 2018 Municipal Budget and tonight's presentation are available on the Town's website, and that residents could email their questions and comments concerning the budget to [budget@westfieldnj.gov](mailto:budget@westfieldnj.gov). In addition, Frequently Asked Questions would be posted on an ongoing basis up until the budget is adopted on April 24, 2018. Thanked all for their interest and participation.


2018 Municipal Budget

Councilwoman Habgood discussed the 2018 Municipal Budget process and its objectives as follows:

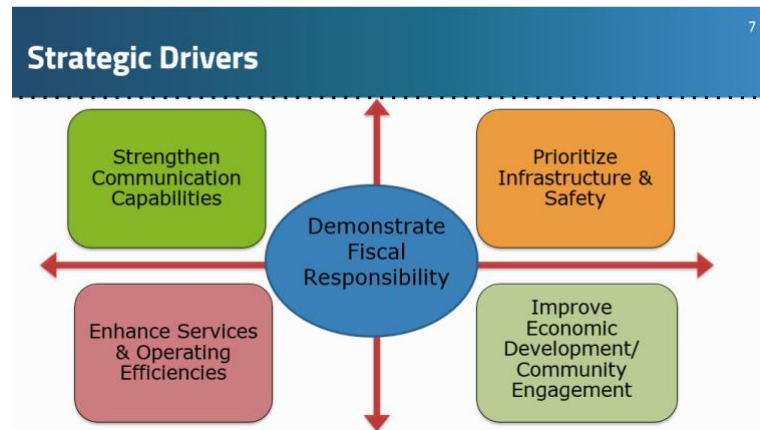




Mayor Brindle discussed strategic drivers, goals and key actions in connection with the 2018 Municipal Budget as follows:

 **Building a 21<sup>st</sup> Century Community Is Critical To<sup>6</sup> Sustaining Growth**

- Establish a roadmap for attracting new employers/residents as a means to grow rateables and minimize property tax rate
- Evolve from a culture of enforcement to a culture of service as a means to becoming more business "friendly"
- Incorporate COAH obligations into a forward looking development plan
- Make investments that will uphold Westfield's reputation as a vibrant, preeminent place to live and to meet the expectations of a new generation of residents
- Automate services that will enable us to eventually scale without adding costs
- Maximize the productivity of our most precious resource, our employees, without adding commensurate headcount
- Push for equitable allocation of dual locomotive trains to enable RVL "one seat ride" in the near term; continue to advocate for Gateway Project in the long term



8

### 2018 GOALS & KEY ACTIONS

**Goal #1** → **Key Actions**

**Demonstrate fiscal responsibility and sound financial management**

- Maintain Westfield's 'AAA' bond rating
- Invest in projects that will yield a greater return over time
- Strengthen relationship with County to get "more bang for our buck"
- Strategically manage surplus to maximize investment and benefit to taxpayers

9

### 2018 GOALS & KEY ACTIONS

**Goal #2** → **Key Actions**

**Strengthen communication capabilities & improve transparency**

- Enhance transparency: volunteer app process, posting of Board members, live stream meetings, open RFQ/RFP, open budget process in '19
- Hire part-time Public Information Officer (PIO) to support department heads in communicating Town initiatives; mitigate need for web/social media consultants
- Streamline process and protocols to more effectively communicate during emergencies
- Upgrade town website to enable more services (i.e. online payments) and relevant content
- Increase external communications to promote the town and draw visitors





## 2018 GOALS & KEY ACTIONS


10

### Goal #3

Enhance services to residents through increased operating efficiencies

### Key Actions

- Proactively purchase new DPW equipment to reduce maintenance costs
- Explore shared DPW services with BOE & nearby towns
- Leverage technology to enable residents and Town to more efficiently report, track and respond to issues
- Hire engineering inspector to expedite construction apps, permitting, and road paving



## 2018 GOALS & KEY ACTIONS


11

### Goal #4

Assess critical town assets, infrastructure, and safety needs

### Key Actions

- Conduct firehouse feasibility study to determine need for new facility
- Implement proactive sewer cleaning downtown to mitigate clogging/flooding
- Complete strategic road paving plan to prioritize based upon need and publish results
- Strive for more stringent road protective ordinances to protect our paving investment
- Continue collaboration with BOE on key safety measures
- Prioritize road and pedestrian safety via enforcement measures with WPD



## 2018 GOALS & KEY ACTIONS

12

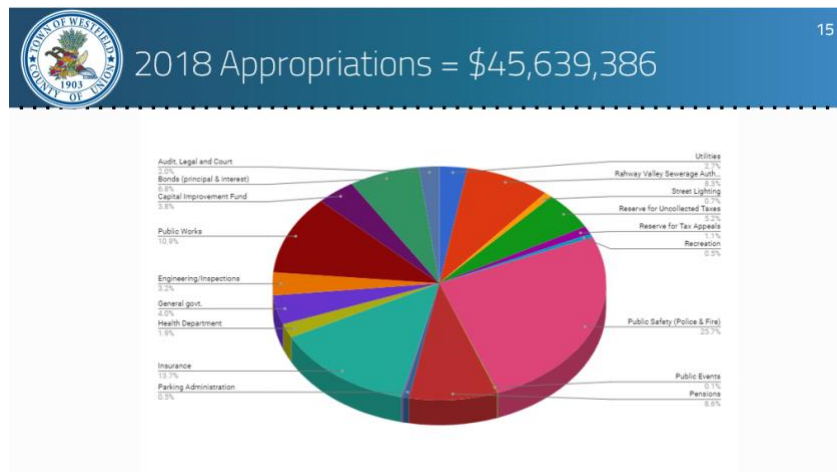
### Goal #5

Emphasize smart planning, economic development, & growing rateables

### Key Actions

- Initiate master plan process to establish long-term vision for Downtown, parks, recreation, transit, sustainability, parking
- Explore near-term cost-efficient parking solutions for commuters, employees, and shoppers (Lyft, valet, ParkMobile)
- Introduce signature Town event that has revenue generating potential
- Leverage newly formed Property Owners Council to identify new business opportunities
- Strengthen partnership with reenergized DWC to enhance Downtown


The Town Administrator presented the 2018 Municipal Budget in further detail as follows:



## Details of Capital Improvement Fund Appropriation


- 2 street sweepers
- 2 large & 2 mid-size dump trucks
- 2 utility vehicles
- 1 75' bucket truck
- 1 cardboard compactor
- State of the art Paving equipment
- General additions to Capital Improvement Fund


**Total Cost: \$1,725,000**



2018 Capital Improvement Fund budget represents two years (4 & 5) of six year capital investment plan for public works equipment initiated in 2015.

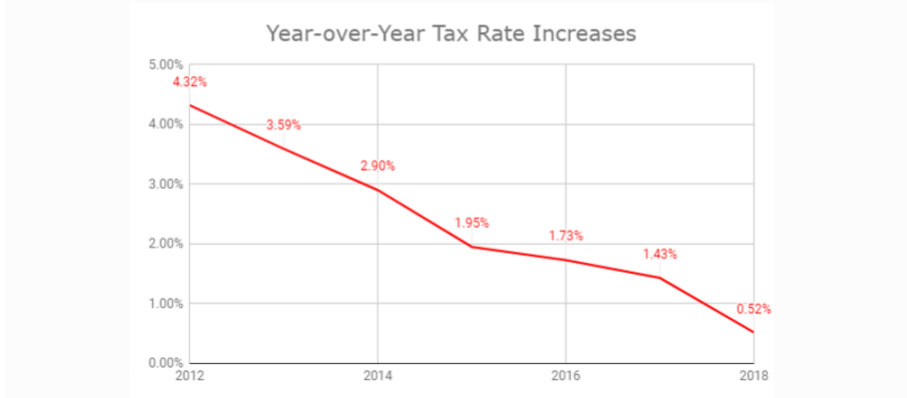



 <b>HISTORICAL SURPLUS AVAILABILITY</b>				
<b>Year</b>	<b>Fund Balance Available a/o Jan. 1</b>	<b>% of Budget</b>	<b>Fund Balance Appropriated</b>	<b>Fund Balance Generated</b>
2008	\$3,894,896	10.28%	\$3,785,000	\$2,738,527
2009	\$2,848,423	7.18%	\$2,700,000	\$1,907,122
2010	\$2,055,545	5.26%	\$1,840,000	\$1,627,557
2011	\$1,843,103	4.67%	\$1,719,000	\$74,391
2012	\$198,494	0.50%	\$0	\$1,431,303
2013	\$1,629,797	3.99%	\$750,000	\$3,840,667
2014	\$4,720,465	11.49%	\$906,023	\$2,776,449
2015	\$6,590,891	16.64%	\$167,172	\$3,159,303
2016	\$9,583,022	23.25%	\$974,344	\$3,800,986
2017	\$12,409,665	28.97%	\$2,174,344	\$4,275,196
2018	\$14,510,517	31.79%	\$4,200,000	?



20

**.52% = Lowest Municipal Tax Rate Increase in Decades**





**MUNICIPAL TAX LEVY & TAX RATE CALCULATIONS**


**Tax Levy** – amount municipality needs to raise through taxation of property owners after accounting for non-property tax revenues and anticipated expenditures  
 — There is a 2% cap on the tax levy + allowable exclusions that can be passed through to the taxpayer

**Tax Rate** – the municipal tax levy divided by the assessed value of all town property (annual ratables)

**Expenditures – Revenues = Tax Levy**  
 $\$45,639,386 - \$17,663,890 = \$27,975,496$   
**2018 Tax Levy Increase = 1.13%**

**Tax Levy / Total Ratables = Tax Rate**  
 $\$27,975,496 / \$1,868,094,590 = .0149754$   
**2018 Tax Rate Increase = 0.52%**

## 2018 Budget Highlights



- Despite more than \$1.4 million increase in non-discretionary costs (31%) and \$150K+ of storm clean up costs, tax levy increase is only .52%
- Non-property tax revenue is up ~\$800K or 9.35%
- A surplus of \$4.2m generated in 2017 will be used for strategic investments in equipment and technology to improve services and decrease costs over time in addition to lowering the tax rate increase
- Surplus balance will be retained at target \$10 million in line with 2017



23

## QUESTIONS?

Contact Us: [budget@westfieldnj.gov](mailto:budget@westfieldnj.gov)

Mayor Brindle discussed the equipment used for the budget presentation and the intention to implement new technology to help improve service to residents and to increase efficiencies.

Mayor Brindle asked if there were any questions or comments related to the 2018 Municipal Budget.

Alicia Barker, 416 Elm Street, expressed concern with the budget as respects costs related to new employees. Feels the new Councilmembers have not had adequate time in office to evaluate the current staffing and to make the determination that new positions are needed. Also asked if the entire governing body is in agreement with the budget that is being proposed.

Mayor Brindle asked Ms. Barker to clarify her statement concerning the number of new employees being hired.

Ms. Barker stated that it is her understanding that three (3) to four (4) new employees are being hired, including a Public Information Officer and an Engineer.

Mayor Brindle discussed the new positions included in the budget, the first being a part-time Public Information Officer. Explained that she made an observation before she took office that there was a need for this position, and being in office confirmed this observation. Feels the Town

needs to be more proactive in sharing information with the public, and not being proactive creates unnecessary work for Town employees because it results in the need to clarify misperceived information.

Mayor Brindle discussed other positions referenced by Ms. Barker and explained that the engineering inspector's position was included in the 2017 Municipal Budget but was not filled, and positions within the Department of Public Works are not new positions, but involve the replacement of employees retiring in 2018.

Ms. Barker feels that things are being done quickly and that is of concern to her. Also discussed the recent storms and the importance of surplus. Reiterated her question as to whether all Councilmembers are in agreement with the budget.

Councilman Contract discussed the budget process and explained that it is being introduced tonight. Over the next four (4) weeks, residents and Councilmembers would have an opportunity to provide input for potential revisions, if necessary, or to approve the budget. Feels this is not the time to discuss budget approval because that discussion would occur on April 24, 2018.

Ms. Barker stated that she respectfully disagrees with Councilman Contract's comment because she does not feel a budget should be considered for approval if there are Councilmembers within her ward that do not support it.

Councilman Arena explained that there would be a vote and comments by Councilmembers regarding the introduction of the budget later this evening.

Councilwoman Neylan stated that she would not be supporting the budget and would provide further comment when that portion of the meeting is reached.

Ryan Meyers, 236 Hyslip Avenue, discussed the Town Administrator's budget presentation. Feels a great deal of information was provided to residents and commended him for his efforts. Also discussed the proposed budget and the plans of the governing body, and the fact that they are charged with very difficult tasks, but feels residents have concerns with tax increases. Suggested that residents be provided with information as to those areas in which taxes were reduced. Also thanked the Mayor and Council for their service to the residents of Westfield.

Bruce Marro, 238 Hyslip Avenue, thanked Councilwoman Mackey for her assistance during the storm when his home lost power.

Mr. Marro also discussed the budget and requested clarification as to whether the proposed increase includes school and county taxes.

The Town Administrator explained that the Mayor and Council only control the municipal portion of taxes, and that the Board of Education and Union County are responsible for its portions. Stated that he and Mayor Brindle met with Union County representatives and Union County has indicated that it is working hard to keep its tax increase below two (2%) percent. Also explained that if the Board of Education does not keep its tax increase below two (2%) percent a referendum would be required. In addition, the Westfield Library's tax increase is also below two (2%) percent.



Mr. Marro discussed the decision to utilize the full surplus amount that was generated in 2017 and expressed concern with the potential impact to future budgets. Feels the Mayor and Council should be mindful of that. Also questioned if it is a matter of principle to spend the entire surplus that was generated in the prior year.

Councilwoman Habgood discussed the rationale behind the use of surplus and explained that the decision was made upon discussions of the Finance Policy Committee, and by following the budget from the previous year. Explained that the beginning balance of 2017 surplus was approximately \$12 million and that \$2 million was used in the 2017 Municipal Budget, allowing for a remaining balance of \$10 million. Approximately \$4 million in surplus was realized in 2017 by year end, which left a \$14 million surplus balance. \$4 million in surplus is being proposed for the 2018 budget, which would allow the Town to utilize additional surplus and maintain a \$10 million balance. The Finance Policy Committee felt that a \$10 million surplus balance would be reasonable. Also explained that funds within the surplus balance earn less than one (1%) percent. The Finance Policy Committee felt that it would be worthwhile to invest surplus toward the Town's long-term capital plan and accelerate the process.

Mayor Brindle feels it is important to note that these funds are being allocated to one-time capital investments, not recurring programs.

Mr. Marro also discussed pension costs associated with new hires and the impact of these costs to future budgets.

Lisa O'Dwyer, 20 South Wickom Drive, discussed the Master Plan process and stated that she is excited about the possibility of a skateboard park. Requested clarification as to the process and timeframe related to the Master Plan.

Mayor Brindle discussed the timeframe associated with the Master Plan and explained that now that the Town has moved past the action required with respect to affordable housing, it can now focus on the Master Plan. Discussed the various components of the Master Plan, including parks, and the intention to include public participation as part of the process.

Sharon Stockwell, 100 Nelson Place, thanked all Councilmembers and the Mayor for their efforts with the budget process. Discussed the Board of Education's budget requirements and the fact that the State could take unused surplus. Asked if these requirements also apply to the municipal budget.

The Town Administrator explained that the Board of Education has different requirements and the Town would not lose any unused surplus.

Ms. Stockwell discussed her support for the decision to utilize surplus.

Olivia Gonzales, First Street, referred to Mayor Brindle's comments concerning technology improvements and asked that the governing body think holistically when considering technology improvements. Feels services can be shared amongst departments. Also discussed technology assessments and other tools that help to build upon a foundation when implementing new technology.

Liz Mulholland, 1029 Harding Street, thanked the governing body for their service. Also thanked the Town Administrator for his budget presentation. Discussed the budget process and feels there has been some confusion. Stated that the budget process is a regulatory process, and at this point, it seems that it is currently the Mayor's and Town Administrator's budget that is being presented. In addition, it is her understanding that the governing body is now approving the introduction of the budget, and there would be two (2) additional meetings in which the Council and the public would have an opportunity to provide input. The vote at this meeting is simply to introduce the budget, and there would be no final vote until April 24, 2018. Furthermore, changes could be made from this point until final approval. Also mentioned that the State has not yet adopted its budget, and informed the Mayor and Town Council that she would be attending the upcoming assembly and senate hearings and welcomed input that she could pass along to legislators during these hearings.

Councilman Arena suggested an increase in State aid.

Councilman Contract referred to Ms. Mulholland's comments and explained that this is the point in the process in which the public should ask questions and provide input and encouraged everyone to do so.

Sean Brien, 21 Stoneleigh Park, thanked the Mayor and Town Council for their efforts. Also commended the Town for allowing for curbside pickup of storm debris. Asked if there is a policy as respects the use of management of surplus.

The Town Administrator explained that there is no written policy, but it has been considered. Explained that in addition to the surplus account, there is also a sale of asset's account, which is another method to strategically manage funds and allocate them towards capital expenditures. Feels a policy will continue to be discussed.

Hearing no further comments, Mayor Brindle closed this portion of the meeting.

### **APPOINTMENTS**

Mayor Brindle proposed the following appointment to the Board of Architectural Review.

#### ***Board of Architectural Review***

*Gregory Talmont*

*December 31, 2018 (unexpired term)*

A motion made by Councilman Dardia, and seconded by Councilwoman Mackey was carried.

### **ADVERTISED HEARINGS**

### **PENDING BUSINESS**



**BIDS**

**TOWN OF WESTFIELD  
INVITATION TO BID  
WEDNESDAY, March 14, 2018  
2018 VARIOUS ROAD IMPROVEMENTS**

**Bidder****Amount of Bid**

<b>Top Line Construction Corp.</b>	<b>\$391,583.28</b>
<b>22 Fifth Street</b>	
<b>Somerville, NJ 08876</b>	
<b>Kyle Conti Construction, LLC</b>	<b>\$379,120.00</b>
<b>749 Clawson Ave</b>	
<b>Hillsborough, NJ 08844</b>	
<b>Z Brothers Concrete Contractors, Inc.</b>	<b>\$429,485.00</b>
<b>304 Jernee Mill Road</b>	
<b>Sayreville, NJ 08872</b>	
<b>Cifelli &amp; Son General Construction</b>	<b>\$423,025.00</b>
<b>81 Franklin Avenue</b>	
<b>Nutley, NJ 07110</b>	
<b>Fischer Contracting Inc.</b>	<b>\$296,566.25</b>
<b>10 Short Hills Lane</b>	
<b>Scotch Plains, NJ 07076</b>	
<b>Stilo Excavating Inc.</b>	<b>\$323,757.50</b>
<b>2907 So. Clinton Avenue</b>	
<b>South Plainfield, NJ 07080</b>	
<b>Black Rock Enterprises, LLC</b>	<b>\$339,420.00</b>
<b>1316 Englishtown Road</b>	
<b>Old Bridge, NJ 08857</b>	
<b>AA Berms LLC</b>	<b>\$347,797.50</b>
<b>106 Mill Street</b>	
<b>Belleville, NJ 07109</b>	
<b>P &amp; A Construction, Inc.</b>	<b>\$412,417.50</b>
<b>P.O Box 28</b>	
<b>Colonia, NJ 07067</b>	

<b>A Takton Concrete Corp.</b>	<b>\$369,222.50</b>
<b>13 Tice Avenue</b>	
<b>South River, NJ 08882</b>	
<b>DLS Contracting, Inc.</b>	<b>\$342,115.00</b>
<b>271 Highway 46, Suite D-205</b>	
<b>Fairfield, NJ 07004</b>	
<b>JTG Construction Inc.</b>	<b>\$346,947.50</b>
<b>188 Jefferson St. Suite 387</b>	
<b>Newark, NJ 07105</b>	
<b>M Sky Construction Corp</b>	<b>\$377,060.00</b>
<b>830 Route 15 So.</b>	
<b>Lake Hopatcong, NJ 07849</b>	
<b>PMC LLC</b>	<b>\$399,743.75</b>
<b>150 River Road, Suite H4</b>	
<b>Montville, 07045</b>	
<b>Granada Construction Corp.</b>	<b>\$312,078.00</b>
<b>147 Thomas Street</b>	
<b>Newark, NJ 07114</b>	
<b>Supreme Metro</b>	<b>\$488,259.75</b>
<b>1499 Jersey Street</b>	
<b>South Plainfield, NJ 07080</b>	
<b>Your Way Construction, Inc.</b>	<b>\$391,524.25</b>
<b>404 Coit Street</b>	
<b>Irvington, NJ 07111</b>	
<b>Midwest Construction</b>	<b>\$311,665.00</b>
<b>23 Dead River Road</b>	
<b>Warren, NJ 07059</b>	

### **MINUTES**

On a motion by Councilman LoGrippo and seconded by Councilwoman Habgood, Council approved the Minutes of the Town Council Conference Session & Regular Meeting held March 13, 2018.

### **PETITIONS AND COMMUNICATIONS**

### **OPEN DISCUSSION BY CITIZENS**

Mayor Brindle opened the public comments portion of the meeting and asked if there were any questions or comments.

Ken MacRitchie, 515 Trinity Place, discussed a proposal to require fencing around mechanical and electrical hazards and provided the Mayor and Town Council with a written copy. Also encouraged the governing body to consider his proposal.

Larry Cohen, Fanwood, New Jersey, thanked the Mayor and Town Council for moving forward with the introduction of an ordinance that would prohibit the sale of animals from “puppy mills” and discussed his support for the ordinance. Informed the Mayor and Town Council that they could expect certain individuals and organizations to oppose this ordinance and suggested that they conduct research on puppy mills.

Mayor Brindle discussed the fact that her family fosters rescue dogs and stated that she is happy to move forward with this ordinance.

Bruce Marro, 238 Hyslip Avenue, commended Ken MacRitchie on his proposal.

Mr. Marro also discussed affordable housing and asked the governing body for its position concerning this topic. Also asked if Addams Tavern is scheduled to reopen.

The Town Administrator stated that Addams Tavern is doing work and would be reopening.

The Town Administrator also responded to Mr. Marro’s question concerning affordable housing and explained that a very comprehensive FAQ as respects affordable housing is available on the Town’s website. In addition, discussed the ordinances that were adopted on March 13, 2018, as well as the Housing Element and Fair Share Plan that was adopted by the Planning Board and endorsed by the Town Council.

Hearing no further comments, Mayor Brindle closed the public comment portion of the meeting.

### **BILLS AND CLAIMS**

On motion by Councilwoman Habgood, and seconded by Councilman Stokes, bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$237,816.11 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

### **REPORTS OF STANDING COMMITTEES:**

#### **Finance Policy Committee**

The following resolutions, introduced by Councilwoman Habgood, Chairman of the Finance Policy Committee, and seconded by Councilman Arena, were unanimously adopted.

#### **Resolution No. 69**

WHEREAS, certain taxpayers of the Town of Westfield are expected to file tax appeals disputing their assessed valuation for the year 2018, and

WHEREAS, such tax appeals can be anticipated prior to April 2, 2018 the last day for filing, and

WHEREAS, the Tax Assessor is of the opinion that said properties may, in many cases by undervalued and that the assessment for said properties should be increased and not decreased as the taxpayer seeks, and

WHEREAS, a method exists in the tax law for the municipality to counterclaim against the property owner to seek an increase in the assessment, and

WHEREAS, it would be in the best interest of the Town of Westfield to do so in certain cases as the Town Attorney and Tax Assessor may decide upon receiving the appeal:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the Town Attorney and Tax Assessor are authorized and directed to take whatever steps seeking to raise the assessments for said properties to the value which the Tax Assessor deems to more properly reflect the value of said property where appropriate.

**Resolution No. 70**

RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individuals:

Name	Account	Class	Fee
Reyna Ortolani 727 Glen Ave Westfield, NJ 07090	T05-600-071	Volleyball Clinic (7 & 8 Grade) Emma Ortolani	\$140.00
Carolyn Malanowski 527 Washington St Westfield, NJ 07090	T05-600-071	Volleyball Clinic (3-6 Grade) Grace Malanowski	\$150.00
Melissa Moser 306 S. Scotch Plains Ave Westfield, NJ 07090	T05-600-071	Field Hockey Clinic (3-5 Grade) Jacqueline Moser	\$60.00
Chrissy Booher 200 E Dudley Ave Westfield, NJ 07090	T05-600-071	Daddy Daughter Dance Tim Booher Anne Booher	\$100.00

**Resolution No. 71**

RESOLVED that the Chief Financial Officer be and he hereby is authorized to draw warrants to the following persons, this amount being overpaid for 2017-2018:

Block/Lot/Qualifier Name	Property Address	Quarter/Year Amount
813/10 NARRO, LEAH & MAX	659 FOREST AVENUE	4 <sup>th</sup> /2017 \$268.13
903/28 RIORDAN, MICHAEL & BETH L	219 EDGEWOOD AVENUE	3 <sup>rd</sup> /2018 \$7,775.89

**Resolution No. 72**

RESOLVED that the Treasurer be and he hereby is authorized to draw warrants to the order of the following persons, this being the amount taxes were overpaid for the year 2017 pursuant to the Tax Court of New Jersey:

Block/Lot Name	Address	Year	Amount
603/22	288 Watchung Fork	2017	\$1,386.90

**Payable to:**

Jacobus & Associates, LLC, Trustee for WOMELSDORF, DAVID & JOANNE

**Mail to:**

Jennifer R. Jacobus, Esq.  
201 Littleton Road, 1<sup>st</sup> Floor  
Morris Plains, NJ 07950

Block/Lot Name	Address	Year	Amount
303/10	1121 Minisink Way	2017	\$4,807.92

**Payable to:**

Nancy H. Kotch and Maria Cozzini, Esq.

4401/10	718 Norman Place	2017	\$3,143.64
---------	------------------	------	------------

**Payable to:**

Mark C. Towey & Bridge M. Towey and Maria Cozzini, Esq.

**Mail checks to:**

Maria R. Cozzini, Esq.  
1199 US Route 22 East  
Mountainside, NJ 07092

**Resolution No. 73**

WHEREAS, the Local District School Tax for the year July 1, 2017 to June 30, 2018 was raised in the 2017 Tax Levy in the sum of \$100,170,477.00: and

WHEREAS, the statutes permit the deferral of such School Tax up to 50% of the School Tax Levy or \$50,085,238.50.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Westfield, County of Union that the Deferred School Tax for Local District School purpose be the sum of \$50,085,238.50 as of December 31, 2017.

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed in the Office of the Director of the Division of Local Government Services.

The following resolution, introduced by Councilwoman Habgood, Chairman of the Finance Policy Committee, and seconded by Councilman Contract, was adopted by the following roll call vote:

**Resolution No. 74**

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for year 2018;

BE IT FURTHER RESOLVED that said Budget or Summary be published in the Westfield Leader and/or The Star Ledger in the issue of April 5th, 2018  
The Governing Body of the TOWN OF WESTFIELD does hereby approve the following as the Budget for the year 2018:

Yeas: Habgood	Nays: Neylan	Absent:
Arena		
Dardia		
LoGrippo		
Contract		
Stokes		
Mackey		
Mayor Brindle		

Notice is hereby given that the Budget and Tax Resolution was approved by the TOWN COUNCIL of the TOWN OF WESTFIELD, COUNTY OF UNION, on March 27, 2018. A Hearing on the Budget and Tax Resolution will be held at the MUNICIPAL BUILDING on April 24, 2018 at 8:00 o'clock (p.m.) at which time and place objections to said Budget and Tax Resolution for the year 2018 may be presented by taxpayers or other interested persons.

**Town Council comments:**

Councilman Arena stated that he would support the budget but has some concerns. Listed various line items that are nominal but feels these items will increase over time and will eventually impact taxpayers. Feels the Finance Policy Committee has presented a good budget, but it will need to be carefully watched next year. Also discussed Union County's expenses and feels county government may not be a necessity because of the redundancy

of services. Commended Mayor Brindle for meeting with Union County representatives and feels drastic changes are necessary.

Councilwoman Neylan thanked Councilwoman Habgood and the Finance Policy Committee members for their efforts with the budget. Explained that she disagrees with certain aspects of the budget, specifically the use of approximately thirty (30%) percent of the Town's surplus balance. Discussed recent storms which had unexpected costs. Also discussed the revaluation process and upcoming labor negotiations which could have a financial impact on the Town. Feels the level of surplus realized in 2017 was not typical and was the result of the recent change in tax laws. Also stated that the Town does not traditionally use the full amount of surplus generated in the prior year. Discussed the use of surplus to invest in capital improvements and feels the need for these investments will not end in 2018. Also expressed her concern with the amount budgeted for consulting fees and feels the services provided by consultants is redundant with services that are provided in-house. In addition, discussed new positions created and their impact to the budget in future years, and mentioned that the budget is well above the level of inflation. Assured residents that her decision to oppose the budget is not a partisan decision and reiterated her thanks to Councilwoman Habgood for her efforts with the budget.

Councilwoman Habgood explained that a great deal of time was spent on capital improvement investments and that these investments are part of a six (6) year plan that was developed before she took office. Feels it is more worthwhile to invest surplus in capital improvements rather than keeping these funds in an account that earns less than one (1%) percent. Feels there is no precedent being set as to the use of surplus, and assured residents that there is no expectation that the same level of surplus would be generated next year. Requested that the Town Auditor, Warren Korecky, provide comment on the Town's use of surplus.

Mr. Korecky discussed the level of surplus realized in 2017 versus the amount used in the 2018 Municipal Budget. Explained that while there is a question as to the level of surplus that will be realized in 2018, feels the decision to use surplus for one-time investments is reasonable.

Councilman Contract stated that the Finance Policy Committee felt confident that a \$10 million surplus balance was reasonable, and allows the Town to maintain its Triple A bond rating. Also discussed the decision to invest in new public works equipment and feels the Town will see a return on this investment. Feels the proposed budget balances the need for fiscal responsibility with the services requested by residents.

Mayor Brindle referred to comments by Councilwoman Neylan. Discussed the amount budgeted for consultants and explained that residents have made it clear that they want roads paved. As such, it was decided that the Town would pave approximately 4.6 to 4.7 miles of roads, but the Town does not have the capacity to do this level of paving in-house. Also discussed the budget for special events proposed for 2018 which she feels would ultimately generate revenue for the Town. Explained that the cost for this line item

was made available by redirecting a marketing expense for printing and publication that was budgeted in 2017. In addition, discussed the budget associated with a consultant for the Master Plan and explained that this expense would be required in 2019 but the Town made the decision to move forward with the Master Plan this year. Lastly, referred to a comment concerning the prepayment of property taxes in 2017 and its impact to the level of surplus realized and believes that comment is not accurate.

Mr. Korecky explained that the prepayment of taxes does not increase the level of surplus that is generated.

The Town Administrator discussed the amount of taxes collected in December of 2017 versus the amount that is typically collected in December each year. While the increase in the amount of taxes collected in 2017 does not impact surplus, it does impact the Town's anticipated revenue for delinquent taxes.

Councilman Stokes discussed his tenure on the Town Council and thanked the previous Town Council for its efforts, which has allowed for this level of surplus. Also thanked the members of the Finance Policy Committee for their efforts with the budget. Explained that he had a concern with the process because a decision was made to utilize an additional \$1 million in surplus without all members of the Finance Policy Committee being present. This concern was addressed with Councilwoman Habgood. Stated that he believes in investing in Westfield, but he has some concerns because the recent storms have impacted overtime costs, and there is uncertainty as to other issues that might be encountered. Explained that this is not a partisan issue but believes fiscal responsibility is needed. Stated that he would support the budget, and is open to resident's input, but feels 2019 will be a challenging budget process. Understands that residents want to see how their tax dollars are being invested, but the Town must also be prepared for the unknown.

Councilman LoGrippe thanked the Finance Policy Committee for its efforts. Also thanked residents for their input. Discussed his concern with certain line items in the budget, specifically the new position of Public Information Officer. Feels it had always been a function of the Mayor and Town Council to provide communication to residents and feels Westfield has handled communications better than Towns with a Public Information Officer. Encouraged residents to continue to provide input and to email their questions to [budget@westfieldnjgov](mailto:budget@westfieldnjgov).

Mayor Brindle referred to comments concerning public works equipment, specifically street sweepers, and explained that in addition to keeping roadways clean, they are used to clear debris that could clog storm drains and cause flooding. Feels this is an example of an item that offers a benefit to residents but also allows for increased efficiencies over time.

#### **Resolution No. 75**

WHEREAS, the Downtown Westfield Corporation Budget of the Town of Westfield's Special Improvement District, County of Union, for the Year 2018:



BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Downtown Westfield Corporation Budget for the Year 2018; and

BE IT FURTHER RESOLVED that said Budget be published in THE WESTFIELD LEADER in the issue of April 5, 2018.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Westfield does hereby approve the following as the Downtown Westfield Corporation Budget for the year 2018:

**DOWNTOWN WESTFIELD CORPORATION**  
**SPECIAL IMPROVEMENT DISTRICT**  
**2018 BUDGET**

**REVENUES**

**GENERAL REVENUE**

Amount to be raised by  
Special Improvement District Assessment  
Total General Revenue

**ANTICIPATED REVENUE**

\$416,347.00  
\$416,347.00

**APPROPRIATIONS**

**GENERAL APPROPRIATION**

Operating  
    Salaries & Wages  
    Other Expenses  
Total General Appropriations

**APPROPRIATIONS 2018**

\$198,360.00  
\$217,987.00  
\$416,347.00

Yeas: Habgood

Nays:

Absent:

Arena

Dardia

Neylan

LoGrippe

Contract

Stokes

Mackey

Mayor Brindle

**General Ordinance No. 2102:**

Regarding the following ordinance, Councilwoman Habgood made the following announcement:

I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2102 – AN ORDINANCE FOR CALENDAR YEAR 2018 TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)" be approved on first reading.

The motion was seconded by Councilman Arena.

The ordinance was approved by the following vote of all present upon roll call as follows:

Yeas: Habgood

Nays:

Absent:

Arena

Dardia

Neylan

LoGrippo

Contract

Stokes

Mackey

Mayor Brindle

Heretofore introduced, General Ordinance No. 2102 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 10 day of April 2018 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

#### Public Safety, Transportation and Parking Committee

#### Code Review & Town Property Committee

The following resolutions, introduced by Councilwoman Mackey, Chairman of the Code Review & Town Property Committee, and seconded by Councilman Stokes, were unanimously adopted.

#### **Resolution No. 76**

WHEREAS, pursuant to Chapter 24 Article VII Section 24-47 of the Town Code the Town Council has authorized the licensing of Sidewalk Cafés, and

WHEREAS, the establishments listed have made application as required by Sec. 24-48 of the Town Code, and

WHEREAS, the establishments listed have met all the terms and conditions as required,

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Westfield hereby grants licenses to the establishments listed to operate sidewalk cafés and the Town Clerk be, and is hereby authorized to issue said licenses.

Bovella's Pastry Shoppe

Casa Di Pizza

Chipotle Mexican Grill

Feast Catering

Ferraro's Restaurant

Rock n Joe Coffee House

Rooster Spin

101 East Broad Street

50 Elm Street

117 East Broad Street

27 Elm Street

8-14 Elm Street

20 Prospect Street

251 North Avenue West

Sweet Waters  
Tinga Taqueria  
Xocolatz Café

43 Elm Street  
110 Central Avenue  
235 Elmer Street

**Resolution No. 77**

RESOLVED that the following application for children's amusement devices be approved:

Seashore Amusements  
11 Hendry Lane  
Brick, NJ 08723

WNC Street Fair  
June 9, 2018  
South Ave Train Station

Rich Sieb  
11 Hendry Lane  
Brick, NJ 08723

WNC Street Fair  
August 18, 2018  
South Ave Train Station

WNC Street Fair  
October 13, 2018  
South Ave Train Station

Regarding the following ordinance, Councilwoman Mackey made the following announcement:

I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2103 - AN ORDINANCE TO AMEND CHAPTER 6 (ANIMALS AND FOUL) OF THE REVISED GENERAL ORDINANCES OF THE TOWN OF WESTFIELD TO ENACT A NEW SECTION, ARTICLE IV, TO DEFINE CERTAIN TERMS AND TO PROHIBIT THE SALE OF DOGS OR CATS FROM "PUPPY MILLS" be approved on first reading.

The motion was seconded by Councilwoman Habgood.

The ordinance was approved by the following vote of all present upon roll call as follows:

Yeas: Habgood

Nays:

Absent:

Arena  
Dardia  
Neylan  
LoGrippo  
Contract  
Stokes  
Mackey  
Mayor Brindle

Heretofore introduced, General Ordinance No. 2103 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 10th day of April 2018 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its

introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Regarding the following ordinance, Councilwoman Mackey made the following announcement:

I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2104 - AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 14 (HOME OCCUPATIONS) OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD TO ENACT A NEW SECTION REGULATING AND ESTABLISHING CERTAIN REQUIREMENTS FOR SHORT-TERM RENTALS IN THE TOWN OF WESTFIELD" be approved on first reading.

The motion was seconded by Councilwoman Habgood.

The ordinance was approved by the following vote of all present upon roll call as follows:

Yeas: Habgood

Nays:

Absent:

Arena

Dardia

Neylan

LoGrippo

Contract

Stokes

Mackey

Mayor Brindle

Heretofore introduced, General Ordinance No. 2104 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 24th day of April 2018 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

#### Public Works Committee

The following resolutions, introduced by Councilman Contract, Chairman of the Public Works Committee, and seconded by Councilman LoGrippo, were unanimously adopted.

#### **Resolution No. 78**

WHEREAS, sealed bids were received by the Town Clerk on March 14, 2018 for the 2018 Various Street Improvements in Westfield, New Jersey as authorized by S.O. 2207 and S.O. 2208A, and

WHEREAS, the low bid, in the amount of \$296,566.25, submitted by Fischer Contracting Inc., 10 Short Hills Lane, Scotch Plains, NJ 07076 has been analyzed and found to be in conformance with the appropriate plans and specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying the availability of adequate funds for this Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to S.O. 2207 and S.O. 2208A under Purchase Order 18-01008.

NOW THEREFORE BE IT RESOLVED, that a Unit Price Contract in the amount of \$296,566.25 be awarded to Fischer Contracting Inc., and

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to take whatever actions are appropriate in the execution of discharge of this Contract, and

BE IT FURTHER RESOLVED, that the Town Clerk shall notify the Contractor by letter requesting submittal of appropriate Performance Bond and Certificate of Insurance, so as to further execute the Contract documents.

#### Reports of Department Heads

Report of Steve Freedman, Construction Official, showing monies collected for permits in the amount of \$74,381.00 for the month of February 2018 was received, read and ordered filed.

Report of Kris McAloon, Town Engineer, stating he had turned over to the Chief Financial Officer check in the amount of \$12,408.50 representing monies collected during the month of February 2018.

Report of Tara Rowley, Town Clerk, showing fee collected in the amount of \$7,653.00 during the month of February 2018 was received, read, and ordered filed.

Report of David J. Kelly, Chief of the Fire Department, showing Fees collected in February 2018 in the amount of \$4,333.00 was received, read and ordered filed.

#### **ADJOURNMENT**

A motion to adjourn made by Councilman LoGrippe and seconded by Councilwoman Habgood at 10:25 p.m. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC  
Town Clerk